

REMARKS/ARGUMENTS

I. Introduction

This amendment is submitted in response to the Office Action dated July 16, 2004.

Claims 1, 2, 3, 4, 5 and 16 have been amended. Claims 24-26 and 30 were previously canceled. Accordingly, claims 1-23, 27-29 and 31-40 are pending.

In the Office Action the Examiner the Examiner allowed claims 6-9, 18-23, 27-29 and 31-40. Claim 16 was objected to for reciting the work "serve" as opposed to --server--.

The Examiner rejected claims 1, 3, 10-11 and 15-16 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,215,865 to McCalmont. In addition, the Examiner rejected claims 12-14 and 17 as being unpatentable over the McCalmont patent in view of U.S. Patent No. 5,583,564 to Rao. Each of the rejected claims depends, either directly or indirectly, from claim 1.

Notably, the Examiner indicated that 2 and 4-5 were being objected to as being dependent upon a rejected base claim but indicated that these claims were directed to allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant will now address and overcome each of the objections and rejections thereby establishing that the application is now in condition for allowance.

II. The Objection to Claim 16 Has Been Overcome

In the Office Action the Examiner objected to claim 16 for reciting the word "serve" instead of "server". Applicant has amended claim 16 so it now recites the word "server" thereby overcoming the objection to this claim.

III. Claims 1, 3, and 10-17 Rejected Under §102 and §103 Are Patentable and Claims 2 and 4-5 which were Objected to for Depending from a rejected Claim are now Allowable

In the Office Action, the Examiner indicated that claims 2 and 4-5 were directed to allowable subject matter and would be allowed if rewritten in independent form. Applicant has taken the Examiner's indication of allowable subject matter into consideration and have amended the claims to place the full set of pending claims in condition for Allowance.

1) Claims 1, 3-4, and 10-17 Are Allowable

The Examiner indicated that Claim 4 was directed to allowable subject matter. Claim 4 depended from claims 1 and 3. Rather than rewrite claim 4 in independent form, Applicant has chosen to amend claim 1 to include the features of claim 4 that rendered the claim patentable. Claims 3 and 4 have been modified to reflect the changes to claim 1 and to make sure that they add additional features not recited in claim 1 from which they depend.

Claim 1 is patentable because it recites a novel combination of features including use of a mid call trigger at a telephone switch which is not taught, disclosed or suggested by the prior art.

Claim 1, as amended, is patentable because it recites:

A method of providing a communications service in a system including a calling party, a first receiving party having a first computer and a first telephone device, ; and a second receiving party having a second computer and a second telephone device, the method comprising:

setting a hook flash mid-call trigger on a telephone line at a telephone switch, said telephone line being coupled to said first telephone device and being a telephone over which said calling party can communicate with said first receiving party;

detecting, using said hook flash mid-call trigger, a hook flash;

in response to detecting a hook flash, transmitting call related data, at least some of which was previously provided to the first computer, to the second computer; and

establishing a voice connection between the calling party and the second telephone device.

Claims 3, 4, and 10-17 depend from claim 1 and are patentable for the same reasons claim 1 is patentable.

2) Claims 2 and 5 Are Allowable

Claims 2 and 5 which were indicated to be directed to allowable subject matter but which were objected to for depending from a rejected base claim have been rewritten in independent form. Accordingly, claims 2 and 5 are now in condition for allowance.

3) The Remaining Pending Claims Stand Allowed

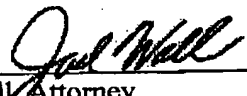
All of the remaining pending claims, i.e., claims 6-9, 18-23, 27-29 and 31-40 already stand allowed.

IV. Conclusion

In view of the foregoing amendments and remarks, the Applicant respectfully submits that all of the pending claims, i.e., claims 1-23, 27-29 and 31-40, are now in condition for allowance. Accordingly, the applicant requests that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance the Examiner is invited to contact Applicants' undersigned representative by phone to discuss and hopefully resolve said issues. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made, the fee for which should be charged to Patent Office deposit account number 07-2347.

Respectfully submitted,



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October 18, 2004

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